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INTERIM REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1167 (1998) of 14 May 1998 and brings up to date the record of developments in Tajikistan and the activities of the United Nations Mission of Observers in Tajikistan (UNMOT) since my report of 6 May 1998 (S/1998/374).

II. MAIN DEVELOPMENTS

2. The reporting period began with a serious setback for the peace process in the form of two decisions taken by the Tajik Parliament. The first decision, on 21 May, was to not confirm the cabinet appointments of Mr. Akbar Turajonzodah and Mr. Davlat Usmon, the two most senior members of the United Tajik Opposition (UTO) in the Government. President Emomali Rakhmonov has since stated his intention to resubmit both names at the next, as yet unscheduled, session of Parliament. Meanwhile, the two continue to perform their appointed functions.

3. The second decision, on 23 May, was to amend the bill on political parties, which had been agreed upon by the Commission on National Reconciliation (CNR). According to the amendment, political parties based on a religion would have been banned, effectively removing the Islamic Revival Party, the largest component of UTO, from participation in the political life of the country. One of the main pillars of the peace agreement would thus have been destroyed.

4. Following this decision, tension mounted rapidly in the country. Mr. Abdullo Nuri, UTO leader and Chairman of CNR, wrote to President Rakhmonov and to the Speaker of Parliament, emphasizing its incompatibility with the General Agreement on the Establishment of Peace and National Accord in Tajikistan and its adverse effect on the peace process. The members of the Contact Group of guarantor States and international organizations and other Governments expressed strong concern and urged the President not to sign the bill into law. UNMOT provided its good offices and facilitated contacts between the parties to help overcome the difficult situation that had been created.

5. On 2 June, following a meeting with Mr. Nuri, President Rakhmonov established a 12-member conciliation commission comprising representatives of the Government, CNR and the Parliament to review the contentious articles of the draft law and submit proposals by 22 June. The Commission was assisted in its work by a specialist on constitutional law provided by UNMOT and funded by the Aga Khan Foundation. Initially, the Commission made very little progress. On 9 June, I met with President Rakhmonov at United Nations Headquarters, where he had travelled for the twentieth special session of the General Assembly on the world drug control problem, and urged him to resolve the situation. I followed the meeting up with a letter to President Rakhmonov.

6. On 18 June, the Commission reached a consensus to replace the contentious provision of the bill with a new text that would prohibit the use of religious institutions for political purposes. President Rakhmonov has referred the revised draft to Parliament, where it awaits consideration.

7. Because of this crisis, the arrival in Tajikistan of Mr. Ján Kubis, my newly appointed Special Representative, was advanced to mid-June. It preceded by a few days the first anniversary of the signing of the General Agreement on 27 June 1997. President Rakhmonov declared a general amnesty on the occasion but it did not include UTO members among the beneficiaries. There was no progress concerning the implementation of the amnesty law adopted under the peace agreement last year.

8. There has been some small movement in the implementation of the protocol on military issues. From 1 to 3 July, 153 UTO fighters were repatriated from Afghanistan, together with a large amount of weapons and ammunition, and stationed in barracks in Garm. As provided in the agreement, the operation was carried out by the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS) and monitored by UNMOT. Another group of UTO fighters currently awaits repatriation at Sherkhanbandar, on the border with Tajikistan.

9. In the past few weeks, several groups of UTO fighters have taken the military oath. This is foreseen in the protocol on military issues to mark the conversion of UTO units into units of the regular armed forces. Effective conversion of the UTO units would require a number of other measures, such as the reform of the power structures and the distribution of the UTO personnel among them. This has not happened, and only a small number of fighters are actually garrisoned in the assembly areas, as also stipulated by the agreement.

10. UNMOT operations in the country suffered a major setback on 20 July, when four members of its team based in Garm were murdered. They were Major Ryszard Szewczyk of Poland and Major Adolfo Sharpegge of Uruguay, military observers; Mr. Yutaka Akino, civil affairs officer; and Mr. Jurajon Mahramov, interpreter. They were shot and killed about 3 kilometres south of the Labi Jar junction on their way back from Tavildara, where they had met with the UTO regional commander.

11. UNMOT immediately suspended its activities in the field and sent all teams back to base in Dushanbe. The replacement of military observers ending their tour of duty has been suspended to reduce the excess personnel in Dushanbe. The

activities of all United Nations agencies and programmes in Tavildara and in the Karategin valley have also been suspended.

12. On 22 July, President Rakhmonov established a commission of Government and CNR members, headed by Deputy Prime Minister Abdurrakhmon Azimov, to investigate the incident and report to him its findings within 10 days. Mr. Azimov set up a special investigation team made up of representatives of the Prosecutor-General's office and the Ministries of Interior and Security. Mr. Azimov has kept Mr. Kubis informed of the investigation, but no formal announcement has so far been made concerning its results.

13. The World Bank's Consultative Group on Tajikistan met in Paris on 20 May. The meeting resulted in pledges amounting to some $280 million for balance-of-payments support, investment support and technical assistance for Tajikistan, the bulk of it from the International Monetary Fund, the World Bank and the Asian Development Bank. On 30 July, at a twice-postponed meeting, the World Bank's Executive Board approved a structural adjustment loan of $50 million.

14. In the week preceding the World Bank's decision, President Rakhmonov and Mr. Nuri issued a joint statement in which they gave their positive assessment of the peace process. On the day before the decision, CNR reached agreement on the appointment of four UTO members to government portfolios, namely the Minister of Agriculture and the chairs of the Committees for Gas and Oil, Emergency Situations and Precious Metals. President Rakhmonov approved the four appointments on 3 August. A few days later, another UTO leader was appointed head of the State Association on Milk and Meat Production. No agreement was reached on the appointments of Deputy Prime Minister and Minister of Defence.

15. On 30 July, CNR adopted a new timetable for the implementation of the peace agreement. It replaces the one adopted on 29 April, which had become obsolete as a result of its deadlines having lapsed. According to the new timetable, the following deadlines apply:

(a) Assignment of UTO personalities to positions at all levels of the executive branch - end of September;

(b) Implementation of the second stage of the protocol on military issues - 25 August;

(c) Thereafter lifting the ban on political parties and mass media;

(d) Formation of the Central Election Commission - 1 September;

(e) Finalizing amendments to the Constitution - 20 October.

No deadlines were set for the implementation of the amnesty law, for the return of refugees or for the constitutional referendum and elections.

Activities of the Contact Group

16. The Contact Group of guarantor States and international organizations continued its efforts to facilitate the implementation of the General Agreement. It held extraordinary meetings and issued specific recommendations as well as press statements reflecting its common position on issues pertinent to the speedy resolution of problems affecting the peace process and the promotion of the process as such. In particular, the Contact Group urged the Government to carry on with the process of incorporating opposition personnel into the executive structures of the Government and to expedite the processing of the remaining amnesty cases as stipulated in the General Agreement as an important confidence-building measure. At the same time, the Contact Group called for genuine disarmament by UTO and the integration of the fighters into the government power structures.

17. The Contact Group agreed to hold a meeting at the level of Foreign Minister to review the progress made during the past year and to discuss ways of consolidating and expediting the peace process. Such periodic meetings are foreseen in the General Agreement. The Tajik Government has expressed reservations at holding such a meeting at this stage.

III. SECURITY

18. On 23 May, the Government informed UNMOT that three army soldiers had been taken hostage by UTO personnel in Kofarnikhon. For their part, local UTO commanders complained about harassment at an army checkpoint in the area. Complaints about harassment and extortion at the numerous government checkpoints are frequent. The three soldiers were released following intervention by Mr. Turajonzodah, deputy leader of UTO. On 12 July, a violent clash took place between two UTO groups in Kofarnikhon. It was contained and order restored, following intervention by the UTO leadership, UNMOT and CNR. In Dushanbe, on 29 July, the deputy chairman of the customs union was killed by a car bomb in front of the presidential palace; his wife was shot dead a few days later. On 5 August, a well-known cleric from Dushanbe and his student, who had been missing, were discovered dead with gunshot wounds in a mortuary in the Kofarnikhon district.

19. On a number of occasions, the movement of UNMOT teams was impeded in the Garm area and in the Karategin valley. On 11 June, the team based in Tajikabad was harassed and robbed by masked gunmen while on a routine patrol near Hoit. UNMOT brought such occurrences immediately to the attention of the CNR Military Subcommission, whose chairman is a representative of UTO. The incident of 11 June was also raised with Mr. Nuri.

20. I have described in paragraphs 10 to 12 above the killing of four members of UNMOT on 20 July and the actions taken subsequently.

21. The lack of security has impeded UNMOT operations for quite some time. The last time its operations in the field had to be suspended was after the hostage incident in November 1997, which resulted in the death of one of the hostages. Earlier that year, following the hostage incident in February, most UNMOT and

other United Nations personnel were relocated to Uzbekistan for several weeks. UNMOT has been operating under stringent precautions, constantly analysing the situation and limiting itself to areas considered reasonably safe. Those areas included Garm, the Karategin valley and the Tavildara sector. However, the incident on 20 July has shown how unpredictable the situation is even there.

22. I have in previous reports referred to three options for the protection of United Nations personnel:

(a) It was originally envisaged that the CIS peacekeeping forces could assume the task of securing the assembly areas. This was not acceptable to UTO. In December 1997 the mandate of the force was revised to include provision of security to United Nations and other international personnel in Tajikistan. Subsequently, UNMOT had detailed discussions with the CIS peacekeeping forces about escort and other security duties for UNMOT. However, the forces have indicated that they cannot perform such functions without the consent of UTO, which has not been forthcoming. Therefore, they cannot operate freely in UTO-controlled areas east of Dushanbe. The CIS peacekeeping forces command has assured UNMOT that it will assist it in emergencies;

(b) The second option was a United Nations infantry battalion. It was not pursued since the Government of Tajikistan opposed it, and others concerned also expressed reservations;

(c) Since neither of the above options was available, the United Nations proposed the forming of a special detachment for security, using government and UTO personnel already stationed in Dushanbe. This was also seen as a confidence-building measure and a first step towards the reintegration of UTO fighters into the national army. The detachment has been formed after a delay of many months and has undergone training by officers brought in by the United Nations. However, it is still not operational, owing to the lack of essential equipment. In addition, weaknesses of cohesion and of command and control prevent it, so far, from being the effective force that is required. On 16 June, the unit's deputy commander, a member of UTO, was shot and killed by unknown persons.

23. In these circumstances, it has become necessary to limit UNMOT activities and in particular its movement in the field. It is envisaged that the Mission will be provided with additional hard-skinned vehicles and better communications equipment in order to give its personnel at least passive protection.

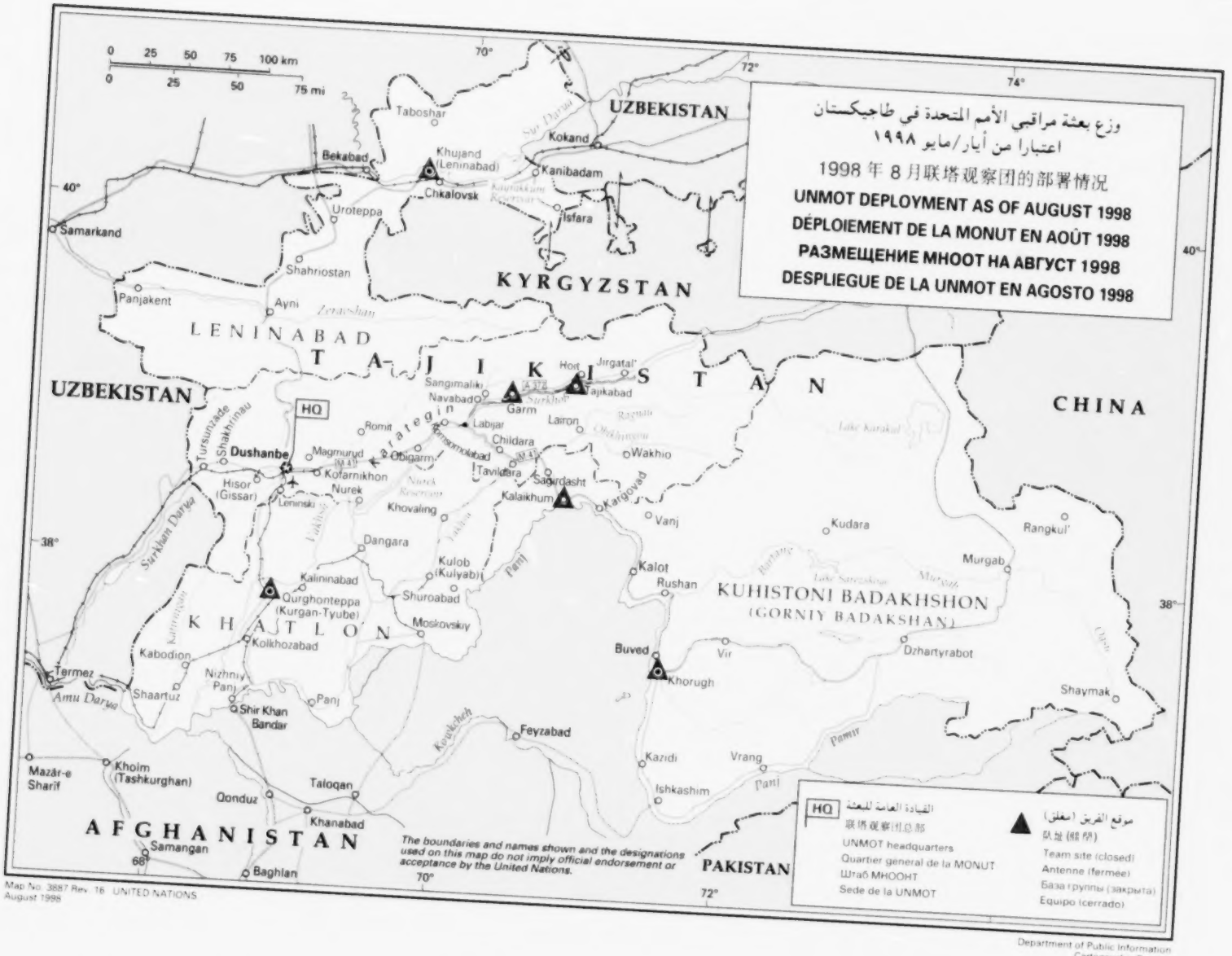
IV. OBSERVATIONS

24. The current mandate period of UNMOT began with a political crisis over the bill on political parties and was subsequently overshadowed by the murder of four members of UNMOT. Those events highlight the continuing precariousness of the peace process, and I hope that the Tajik parties will muster the will and determination to implement in good faith and at a steady pace the general peace agreement they signed more than one year ago.

25. I cannot find words strong enough to condemn the murder of the four members of UNMOT, who were on a mission of peace and were unarmed. It is to be hoped that the perpetrators of this crime will soon be found and brought to justice. I share the distress of the members of UNMOT at the loss of their colleagues and wish to pay tribute to the way in which they have coped with this crisis.

26. Tajik leaders have often voiced disappointment at the level of assistance the country receives from international donors, and at times affirmed that the positive development of the peace process depended on such assistance. I must confirm that few of the pledges made at the Vienna donor's conference last October have been followed through. Nevertheless, the obstacles to the peace process are mainly political, and it is essential to overcome them in order to ensure Tajikistan's future well-being. Tangible progress in the implementation of the peace agreement is also the best way to counter the scepticism of donor countries.

27. I should like to encourage the Tajik parties to make good use of the continuing international backing for the peace process. In addition to the services offered by my Special Representative and UNMOT, the Contact Group of guarantor States and international organizations is an important source of support. I am convinced that the meeting at the level of Foreign Ministers, which the Contact Group is currently preparing, could provide valuable impetus to the peace process.



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